

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
BOARD OF REGISTRATION FOR ARCHITECTS,
ENGINEERS AND LAND
SURVEYORS

MINUTES OF THE MEETING
August 11-12, 2021

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Registration for Architects, Engineers and Land Surveyors was held in person and virtually on August 11 and 12, 2021.

1. Call to Order/Roll Call

The meeting was called to order at 9:07 a.m.

Board members present, constituting a quorum:

Bob Bell, Land Surveyor

Catherine Fritz, Architect (Vice Chair)

Jeffrey Garness, PE Civil Engineer, Environmental Engineer

Elizabeth Johnston, PE, Electrical Engineer, Fire Protection Engineer (Chair)

Loren Leman, PE, Civil Engineer (joined 9:20am because of Zoom connection challenges))

Ed Leonetti, PLA, Landscape Architect

Jake Maxwell, PLS, Land Surveyor

Randall Rozier, Architect

Fred Wallis, PE, Mining Engineer

Attending from the Division of Corporations, Business, and Professional Licensing were:

Sara Neal, Licensing Examiner

Sharon Walsh, Deputy Director

Erika Prieksat, Investigator

Marilyn Zimmerman, Paralegal

Attending from the public: Chris Miller

Jennifer Anderson absence was excused by the Chair

Neal read the state Zoom policy: Please note that this meeting is being recorded. The audience may not participate in the meeting with the exception of public comment. If the board enters into executive session, all public attendees will be placed in the waiting room until the executive session concludes and the board returns to the record. Please note that if an attendee disrupts the meeting and does not allow the board to conduct the business

scheduled on the agenda, that attendee may be removed from the meeting.

2. **Mission Statement –**

The board's mission is to protect the public health, safety, and welfare through the regulation of the practice of architecture, engineering, land surveying, and landscape architecture by:

- *Ensuring that those entering these professions in this state meet minimum standards of competency, and maintain such standards during their practice; and*
- *Enforcing the licensure and competency requirements in a fair and uniform manner.*

3. **Strategic Plan**

Johnston read the objectives from the strategic plan and pointed out that throughout the meeting they would revisit the strategic plan to ensure that action items were in line with the objectives.

4. **Virtual Meeting Code of Conduct**

Johnston stated that because AELS is doing a hybrid meeting with some attendees in person and some meeting virtually that AELS would use the virtual meeting codes of conduct so as to have a cohesive meeting as possible for everyone.

5. **Review/Amend/Approve Agenda**

Johnston pointed out that the agenda on Day 2 NCARB Presentation Item #3 had to be rescheduled for November and that Item #3 has been replaced with the statute project.

On a Motion duly made by Ed Leonetti, seconded by Jake Maxwell and approved unanimously, it was RESOLVED to approve the agenda,

6. **Review/Approve Minutes from May 19-20th, 2021 Board Meeting Edits**

Garness pointed out on the bottom of Page 2 that Senator Revak's last name was misspelled and Chair Johnston's last name was misspelled as Johnson.

On a Motion duly made by Catherine Fritz, seconded by Jake Maxwell and approved unanimously, it was RESOLVED to approve the May 19-20th, 2021 meeting minutes, pending suggested edits.

7. **Ethics Reporting**

Johnson stated that she and Maxwell would be attending the NCEES Annual Business meeting August 19-20th which will be all funded by 3rd party at no additional cost to the state. Fritz pointed out that she attended the Annual Business meeting virtually in June 2021.

8. **Licensing Examiner's Report**

Neal shared the amount of applications to be reviewed during this meeting as well as quarterly information pertaining to licensure, renewal and examination. Johnston noted the amount of individuals who failed the PE exam and pointed out that as the Board considers

allowing applicants to sit for the PE right out of college so staff would no longer have to spend time re-approving them for examination.

9. Correspondence Received

a. Sealing Structural Engineering Calculations

An email came in asking the AELS Board to revisit the sealing of calculations issue. In 2007 the AELS board held the position that calculations do not require sealing. However, the language in the AELS Guidance Manual states on Page 23, paragraph 2 that “*Drawings, specifications, and calculations must have a signed and dated seal...*” The person requested that this language be taken out of the Guidance Manual as it contradicts past Board decisions as well as other language in the Guidance Manual. Fritz read from AELS Statute AS 04.48.221 (a) which states: “*When a registrant issues final drawings, specifications, surveys, plats, plates, reports, or similar documents, the registrant shall stamp the documents with the seal and sign the seal. The board shall adopt regulations governing the use of seals by the registrant.*” The Board concurred that the stamp on the submittal plans should cover everything in those plans and individual calculations do not need to be stamped. Johnston stated that she would make the language changes to the Guidance Manual and bring those changes to the Board for approval.

10. Investigative Report

Erika Priksat shared the investigative reported dated May 4th – July 28th, 2021. Investigations opened 14 cases and closed 15 cases. One person is on the probation report however their application is still in process. The search for a new investigator was unsuccessful during the last recruitment. A new recruitment is opening soon. There will be some delays in investigations due to staff shortages.

11. Review Action Item List

12. Executive Session

On a motion duly made by Ed Leonetti, seconded by Fred Wallis, to enter executive session in accordance with AS 44.62.310 (c) (2) and (3), and the Alaska constitutional right to privacy provisions to review Case # 2021-000207, a CE Audit Voluntary Surrender. Roll Call Vote – All voted YES. Motion Passed.

Present in room or via Zoom: AELS Board, Marilyn Zimmerman, Sara Neal.

On a Motion duly made by Jeff Garness, seconded by Fred Wallis and passed unanimously, it was RESOLVED to come out of Executive Session.

On a Motion duly made by Ed Leonetti, seconded by Fred Wallis having examined the voluntary surrender of Professional Mechanical Engineer registration in the matter of Michael Krepel, Professional Mechanical Engineer registration #AELM11557, Case No. 2021-000207, the Alaska State Board of Registration for Architects, Engineers, and Land Surveyors hereby adopts the surrender in its entirety, effective immediately upon

signature of this order in accordance with the approval by the Board. Motion passed through roll call vote.

11 Continued Action Item List Review -

With regards to SB 21, AELS would like to waive application fees for military and military dependents.

On a Motion duly made by Ed Leonetti, seconded by Catherine Fritz , it was RESOLVED to update renewal forms and comity applications to reflect military dependents and military to waive fees

Fritz asked to add the line in that the AELS Board could only waive the fee within its authority in the event fee decisions were superseded by the division. Johnston highlighted the fact that there was no time limit for how many times this waiver would apply to renewals. Johnston asked if that was the intention of this motion. Leonetti responded that it was not his intention and the intention was to waive just the application fee. Fritz asked that the word “renewal” be stricken from the motion. Leonetti agreed with the friendly amendments. Amended motion reads the following:

On a Motion duly made by Ed Leonetti, seconded by Catherine Fritz, it was RESOLVED to approve that within the authority of the AELS Board to create a new fee category to waive fees for military and military dependents on comity applications. Motion passed through roll call vote.

12. Division Update

Walsh reported that the candidate for Executive Administrator’s application is waiting for approval from the governor’s office. The questions that had been forwarded to legal are now being moved forward and will be assigned soon. Neal will email the responses to the Board when legal responds.

The Division will prepare a response for Boards to SB 21 and share that during the November board meeting. The bill becomes effective January 2022.

11 Continued Action Item List Review

Johnston added action items to the Legislative Liaison Committee to prepare an AELS response to HB61. Fritz asked Johnston to add a Strategic Plan column to the Action Item List.

13. Public Comment

Chris Miller, president of Design Alaska, after looking through the board book commented on the issue of directly supervising an independent contractor that will be discussed in tomorrow’s board meeting. Miller would not say that employment means direct supervision. One can directly oversee the work without an employment contract. Miller also spoke to the sealing calculations topic. He felt like one’s stamp covers all work associated with it, but some things do not have plans associated with it, such as a soils report, so they need to be signed. On the continuing education subject matter, Miller appreciates the hard work the board is doing to simplify the process and thinks AELS should continue using NCEES Model

Law as a guideline for CE regulations.

- 14. Annual Report** – The following edits are needed: 1. Add public member, 2. Change Fred Wallis’ term expiration date, 3. Page 6 – FY20 should read FY21 and 4. the Public Hearing date in the second bullet should read FY 2022. 5. A third bullet should read SB 21 along with the comments AELS submitted in February 2020. 6. Bottom of Page 11 – FY21 should read FY22. 7. Change Page 15 as AELS does not have an MBE serving on a MBE Committee and instead put in narrative on the MBE Workshop. 8. Add section on NCEES Committee meetings to reflect travel Johnston will be doing for the committee she is serving on.

On a Motion duly made by Catherine Fritz, seconded by Fred Wallis, it was RESOLVED to approve the AELS 2021 Annual Report as verbally amended. Motion passed through roll call vote.

Recess for lunch

Reconvene / Roll Call attendance 1:37pm

15. Application Full Board Review:

Nathanael Kohl – CE by Exam

Bell shared with the board that his experience included drafting and surveying which does not fit into the definition of responsible charge. Johnston encouraged Bell to call the verifier to clarify the experience of the applicant. Bell stated that he would call the verifier and report back to the Board tomorrow.

David Dinsmore – CE by Comity

Garness shared that he had an Industrial Technology degree. NCEES education equivalency found him to be five credits short of an engineering degree. He is licensed in 18 other states and has passed the PE exam. He has been licensed since 2012. Education Perspectives also performed a credentials evaluation and found his degree to be “substantially equivalent to a Bachelor’s degree program in Industrial Engineering Technology offered at an ABET-accredited institution in the United States.” Johnston pointed out that the board made a motion in November 2019 to only accept credential evaluations from NCEES. Johnston read out of 12AAC 36.105 which states that a comity applicant must meet the education requirements of 12AAC 36.063 TABLE B. According to his education documents, he does not meet the criteria of any scenario in TABLE B. Johnston pointed out that Sec 08.8.171 gives the board the authority to approve the education. Johnston said this should go before the board for a vote when Anderson calls in tomorrow.

16. Old Business

Stale Applications – there is a change to Centralized Regulation 12 AAC 02.915 to read *“Application form and verifications for licensure. (a) Except as otherwise provided in this title for a board, commission, or occupation, if upon receipt by the division of the last document required to complete an application file, the file contains an application form, authorization for release of records form, or verification that is older than 12 months from the date the document was received by the division, the document will be considered to be*

stale and the applicant must resubmit the document or cause the document to be resubmitted as appropriate before the application will be considered by the division or a licensing board.” Johnston proposed the question that if an applicant submitted an application in 1995 would the person’s application be stale if they had not let us know once a year that they wanted to keep their application open? Neal clarified that if someone had not let the division know once a year that they wanted to keep their application open, then the applicant would be notified, given 30 days to respond, and, if no response, they would be moved into abandoned status. The applicant would then need to start the whole process over again including paying the fees again. Under the stale application regulation, an applicant would need to resubmit an application as well as verifications of licensure if more than 12 months had passed. Maxwell pointed out that this topic came up because some land surveyors submitted applications before 2014 and under different regulations. Fritz asked how it applies to Sec 08.48.071 (e) that states “*the Department of Commerce, Community, and Economic Development shall, under AS 08.01.050, preserve the records under (a) of this section for the previous five years.*” If we have five years in statute, can we abandon an application after one year. Neal said she would get further clarification from the Division. Fritz stated that AELS should refer to the centralized regulation in its regulations. Johnston said that instead of adding reference to it in AELS’ regulations to instead include the information in the FAQs.

Status of regulation project to review 12AAC 36.068 – The current regulation states that an applicant must apply to take LARE parts 1 and 2 then gain experience and then request permission to take parts 3 and 4. Leonetti is proposing to allow for applicants to sit for all four parts of the exam after receiving their degree. Fritz pointed out that Strategic Plan states that AELS is going to consider regulation and statutory changes to stay in line with national standards. Leonetti will write the language for the new regulation have both CLARB and ASLA review it and give feedback. He will bring it back to the board to vote on it.

Meeting recessed for the day at 4:15pm

Reconvene Meeting/Roll Call

Jennifer Anderson (for part of afternoon)

Bob Bell

Catherine Fritz

Jeffrey Garness

Elizabeth Johnston

Loren Leman

Ed Leonetti

Jake Maxwell

Randall Rozier

Fred Wallis

Emeritus Member Colin Maynard for part of morning session

Attending from the Division of Corporations, Business, and Professional Licensing were:

Sara Neal, Licensing Examiner

Sara Chambers, Division Director

Attending from the public:

Torz Anderson, Will Webb

17. National Organization Updates

NCARB – Fritz gave an update on the annual business meeting held in June. It was a hybrid meeting which Fritz attended virtually. She shared two of the seven resolutions that passed. One was that NCARB sun setted its opposition towards the licensing of interior designers and has moved to a neutral position on the issue. The second resolution Fritz discussed was regarding NCARB lowering national annual dues to \$1,000. The regional dues are still \$4,000. Koonce had been recognized during the March meeting. Neal, who attended the meeting in person, talked about how NCARB is encouraging the jurisdictions to begin thinking about the definitions they use for responsible charge in the practice of architecture because so many projects are a team effort not requiring one person to be taking responsibility for all the work.

NCEES – Western Zones – both Johnston and Anderson attended virtually. Engineers and Land Surveyors held separate forums. Both the FE and the PE exams were down in 2019/2021 due to the pandemic, but they are already back to normal levels for the 2020/2021 cycle. The PE Civil exam has been converted to a CBT as of January 2022. The big topics were legislation with regards to licensure and industrial exemptions. NCEES is encouraging jurisdictions to accept Engineering Technology degrees. Decoupling of exams and experience is also being talked about. Maxwell shared that during the surveyor forum NCEES talked about new ways to introduce young people to land surveying by using the TWIST program which is currently only being used in Michigan. Discipline action by different states was also discussed. The modular PS exam with the state specific exam being a modular is a hot topic for NCEES now.

18. AELS Statute Project - board reviewed document Alysia Jones had revised as well as the document that the board had written notes on in 2019. After reviewing these documents, it was decided to form the following focus groups to work on different sections of the statutes:

- a. Board Composition:** Bell, Leman, Leonetti, Wallis
 - i. Option 1: go from 11-13
 - ii. Board seat / # of registrants
 - iii. Do nothing
 - iv. EE or ME
 - v. Dual-registered
- b. Certificates of Authorization:** Garness, Johnston, Rozier
- c. Exemptions:** Fritz, Garness, Maxwell
Focusing on federal and industrial exemptions
- d. Definitions:** Anderson, Fritz
Will compare AELS definitions with national organizations' definitions

All focus groups will public notice a meeting between quarterly meetings where they will review their section of the statutes, make a list of proposed changes and introduce those changes during the November 2021 board meeting.

19. Outreach Reports – Bell shared that he had met with Senator Costello to talk about the makeup of the board. She told Bell that if the board wants to come up with a reconfiguration she would be willing to sponsor it. Johnston expressed her appreciation and said she would make note of that.

20. Legislative Liaison Committee – The Board looked at HB 15A which is dealing with temporary licenses and permits. In 08.13.175 it states, *“An applicant who receives a temporary license may work only under the direct supervision and within physical presence of a person who's licensed in the area of practice for which the applicant has applied for examination.”* A change that is being proposed in this bill is that the language “valid for 90 days and nonrenewable” is being deleted. Also, item C, line 8 infers that a temporary license would be granted if an applicant is *“awaiting the results of an examination required for licensure in the occupation and meets the remaining qualifications and requirements for licensure in that occupation under this title.”* The regulation currently says, *“A board established by this title may by regulation establish criteria for issuing a temporary courtesy licensed to nonresidents who enter the state”* Johnston would like the Legislative Liaison Committee to read the old regulations and the new regulations and write a letter to succinctly address the board's concerns. Fritz suggested that the letter come back to the whole board for review during the November 2021 board meeting before it is sent.

HB61 – The Legislation Liaison Committee will be using the framework of the public testimony, and will go through the bill and articulate in more detail suggested language changes or other technical aspects that would support the licensing of interior designers under the AELS board. The response will not indicate that AELS is in favor of the bill but will try to make the bill more consistent with the other professions AELS licenses by cleaning up the language that is problematic. If the bill does go forward, it would at least be

in a format that the board could work with to the best of its ability. Fritz is concerned that by taking a neutral stance there could be a perception that the AELS board supports the bill. Johnston said that it would be better to be proactive and get the bill cleaned up before it becomes law and leave whether or not it becomes a law up to the elected officials. Bell suggested submitting proposed changes before it passes. Fritz wants to comment on the bill by informing the sponsor that parts of it are not relevant to the practice of interior design. Johnston asked the board to review the testimony that was submitted last April and give feedback to the Legislative Liaison Committee.

18 continued AELS Statutes Project– Fritz suggested that the board read through the statutes thoroughly and review the pdf document with the board’s notes on it. Johnston proposed sharing the statutes as a word document in a way that allows the focus groups to make changes to it. During the November 2021 meeting, all proposed changes would be reviewed. The goal is that by November the document would be in the language the board is ready to move forward with. Fritz said the finalized document should be ready before November so the final document could be sent to the board to read through before the November board meeting. Neal will clarify with the Division as to whether the board can share a document and not have it violate the open meetings act.

20 Continued - Committee updates – Guidance Manual Committee – will look to update the sealing section of the manual.

Planning and Implementation Committee – Fritz will add column to Action Item List and match actions with objectives. Board will plan on updating the Strategic Plan during the February 2022 board meeting in time for the annual report due June 30, 2022.

Recess for lunch

Reconvene / Roll Call attendance 1:01pm

Neal read the state Zoom policy: Please note that this meeting is being recorded. The audience may not participate in the meeting with the exception of public comment. If the board enters into executive session, all public attendees will be placed in the waiting room until the executive session concludes and the board returns to the record. Please note that if an attendee disrupts the meeting and does not allow the board to conduct the business scheduled on the agenda, that attendee may be removed from the meeting.

21. New Business

- a. **Interpretation of “direct supervision” with regards to independent contractors in statute 08.48.221 (a)** – The following situation was proposed to Garness: engineer... wants to know if he could hire a non-licensed independent contractor to do construction slash engineer inspections for him and then use the data collected by the independent contractor to prepare record drawings, that would be sealed and signed by the engineer. In short, the person hired would not be licensed and would not be an employee of the engineer. Garness’ opinion is that you cannot have direct supervisory control over an independent contractor and therefore you cannot sign and seal their work. With that being the case, Garness would argue that he cannot hire an independent contractor to perform this subject’s inspections and then sign off on their work. Garness brought this to the board’s attention to ensure that the board is giving consistent responses when

participating in investigations. His concern is that engineers are hiring tech services to perform technical services and then stamp and sign their work. Independent contractors are not under the engineer's "control" when it comes to employee-related issues such as workman's comp, but yet they are under the engineer's supervisory control? The question is whether or not the engineer can have "direct supervisory control" as stated in statute 08.48.221(a) over an independent contractor. Fritz wondered why someone is stamping as-builts if they are not in responsible charge and supervising the crew on the job site. Fritz said it would be appropriate to take responsible charge and stamp the work if a technical person brought back information into the office for the next step in a project. If that was the case, then it would be appropriate to hire a contractor to do the technical work. Bell's made the distinction between technicians and designers. If someone is producing drawings and specifications then they need to be stamped and under direct supervision, but if it is an inspection for a soils report then it would not need direct supervision. Inspection reports are used to produce drawings and specifications that are stamped. Johnston shared that Alaska is one of 13 states that follow what's called the ABC test for determining if an individual is an independent contractor. Part A of the test asks if the individual is free from control and direction in connection with the performance of the service, both under the contract and for the performance of the service. Under Part A, an independent contractor is not told what to do which begs the question as to how they can be under "direct supervisory control." Part B of the ABC test states that the independent contractor must perform services outside the usual course of the business of the employer. The independent contractor cannot perform services for a business that the business itself offers. Part C goes on to say that independent contractors are individuals customarily engaged in an independently established trade occupation, profession, or business of the same nature as that involved in the service performed. Leman's opinion is that it does not really make a difference if you are an employee or a contractor in terms of doing work. What does make the difference is the level of supervisory control, the going over the scope of work, and the reviews of it. He believes that what is important is that we ensure that if an engineer is going to seal something that they have that direct supervisory control and involved in the project. Johnston suggested that this question gets forwarded to legal since the definition the ABC test uses for independent contractor seems to contradict being able to have direct supervisory control over the person. If the engineer is not in direct supervisory control, the person offering the service must be professionally licensed. Fritz suggested that the board have the individual refer to the ABC rules and not refer the question to legal. Garness pointed out that the individual would like to know the board's stance on this issue.

Jennifer Anderson joined the meeting at 1:15pm

Director Chamber joined the meeting at 1:30pm

- b. Johnston, on behalf of the board, had several questions for Chambers. With regards to the Centralized Statutes and Regulations, Chambers informed the board that the statutes are changed by the legislature, whereas the regulations are changed by Chambers based on input from staff. If the board had suggestions of changes for the Centralized Regulations, they would need to let Chambers know and she would take it into consideration. The AELS Statutes and Regulation supersede the Centralized Statutes and Regulations. Another question was concerning the Annual Report and the Travel

plan and whether or not those documents once submitted limited AELS to only those things mentioned in those documents. Chamber said that those documents are not binding, they inform the division what the travel preferences are of the board in the event the division had to prioritize travel. Chambers also let the board know that she is putting together a packet for all board members with regards to SB21. She will work with boards as far as what regulations may need to be adopted or clarified to comply with licensing military and military dependents.

- c. Continuing Education – the continuing education subcommittee met to look at updating regulations and revise the reporting form. The committee wanted to have a discussion with the whole board on statute 08.48.101 *“The board may adopt regulations to carry out the purpose of this chapter, including regulations (6). Establishing continuing education requirements for persons regulated by the structure that must be completed before a certificate may be renewed, the continuing education requirements may not exceed standards established by a national accrediting body or other recognized professional organization.”* The committee wanted the board’s opinion on the language in this statute as it was wondering if it leaves whether or not requiring continuing education is up to the board. Since the statute says, “may adopt” the question is if that implies that the board has the authority to “not adopt.” Bell suggested public noticing that the board will be having a conversation on continuing education so that the registrants could speak on the issue. Johnston shared that over the last two years the public has been invited to comment on this topic and will and should be continually engaged on this matter. Johnston proposed creating a regulation project to clean up the CE regulations using NCEES Model Rules as an example. She asked the Board whether or not it wanted to keep the requirement for it to all be health, safety and welfare. Garness expressed that he wanted the Board to consider if there is a need for CE’s and if there is, he would like to help streamline the process so that it is not so cumbersome. Wallis agreed with Garness in the need for streamlining the process and pointed out that as an older engineer the health, safety, and welfare classes are not as necessary as classes in business skills, soft skills with employees, and skills in relating to the younger engineers. Johnston asked Chambers if it was in the board’s best interest to include in the regulation language a listing of board-approved national organizations’ continuing education. Chambers said that it was and would make the process less cumbersome. She suggested considering the language “coursework sponsored by these organization or an ABET accredited organization will be accepted.” She went on to say that the board could require that the name of the accepted organization would need to be on the certificate so that during the audit it would simplify the process and make it very clear whether or not a class is approved or not. Johnston inquired of Chambers whether other boards require or restrict a certain number of hours in topics such as ethics, soft skills, business skills, etc. Chambers answered that it was common for other boards to do this and the require the rest of the hours to be health, safety, and welfare. Fritz encouraged the committee to go through the regulations and exclude the language that is cumbersome. Bell would like to invite owners of firms and registrants to be able to weigh in on the topic. He would like to hear what the design community has to say about it. Chambers suggested using the scoping regulation tool where a public notice goes out to all registrants asking for input on the regulations that the board is thinking about changing. Another option would be to use survey monkey to send a

survey out to all registrants who have opted in asking for feedback on possible changes to the CE regulations. Both of these tools could be used concurrently while the CE committee is meeting to review and propose changes to the CE regulations. Johnston wants the form that is submitted by those that are audited fixed before the next renewal cycle to ask for the information that is needed to do the audit in a more organized and consistent way.

On a Motion duly made by Catherine Fritz, seconded by Bob Bell it was RESOLVED to empower the continuing education committee to pursue a scoping regulation project and design a survey monkey for the purpose of simplifying continuing education requirements.

After motion was made, Johnston asked if anyone wanted to discuss this motion. Leonetti said he would be more comfortable voting if he heard from the whole board as to whether or not they wanted to simplify the CE regulations or eliminate the requirement for CEs. Johnston, Fritz, Anderson, Leman, Leonetti, Maxwell, Rozier, and Wallis agree with keeping and simplifying the CE requirements. Garness is not in favor of maintaining the requirement but will support the simplification process. Bell asked that the registrants be polled as to whether or not they still want to have the CE requirement. Fritz pointed out that if the results of the survey monkey and the scoping regulation point to “simplifying” means no CE requirements or no health, safety, welfare box to stay within, then she would support that. After the discussion, vote was taken on motion.

Roll Call Vote – All voted yes. Motion passed.

Johnston then asked if anyone wanted to join the Continuing Education Committee to which Leonetti responded affirmatively.

15 Continued – Application full board review

David Dinsmore – Anderson felt that the board had leeway with evaluating education requirements according to statute. Fritz informed the board that she will support this individual’s application per statute 08.48.171 that states “*An applicant for registration as an architect, engineer, land surveyor, or landscape architect must be of good character and reputation and shall submit evidence satisfactory to the board of the applicant’s education, training, and experience.*” Although, Fritz does encourage a regulation project to close the loophole as the architects did. Something similar for engineers would be to say that unless you were licensed before a certain date, you must submit an NCEES model law record. NCEES would verify the education so the board would not have to evaluate the education. Because of the nature of this application, Fritz would like the whole board to vote on this application which Johnston agreed with.

On a Motion duly made by Catherine Fritz, seconded by Jennifer Anderson, it was RESOLVED to conditionally approve David Dinsmore for licensure based on the statutory provision 08.48.171. Motion passed through roll call vote.

Anderson left the meeting – 3:20pm

Nathan Kohl – Bell shared that he called Kohl’s verifier to discuss Kohl’s experience. After hearing the explanation of Kohl’s experience, Bell found that it did fall under the definition of responsible charge experience. Bell’s reviewing partner, Maxwell, concurred. Kohl was conditionally approved to sit for the PE Civil exam.

21 Continued – New Business

- d. Interpretation of “work of minor importance” in statute 08.48.221(b) an email had come in asking what is the definition of “minor importance” for stamping out of discipline. Another question would be if the person stamping needs to disclose the work on the plans that is of “minor importance” in another discipline. The statute reads *“When certifying design work of minor importance, the registrant shall identify that work on the document near the registrant's seal and take responsibility for all work prepared under the registrant's seal.”* This reads that a registrant does need to identify what is of minor importance near the registrant’s seal. Garness feels that this is a cumbersome process and the registrant should not have to identify all the work that is of minor importance. Leonetti asked about what “certifying design work” means. Johnston stated that by stamping it a registrant is saying that they are responsible for it. Garness agreed and said that if it was significant work then there would be another seal on it for that work. Johnston read 08.48.221(a) that states, *“The registrant, by affixing the registrant's seal to final drawings, specifications, surveys, plats, plates, reports, or similar documents, and by signing the seal, certifies that the documents were prepared by or under the registrant's direct supervision, are within the registrant's field of practice, or constitute design work of minor importance”* Bell pointed out that if a registrant seals work they are responsible for the work whether or not it is of minor importance or not so why have to point out what work is of minor importance? Fritz interpreted it to say that if a registrant sealed a document and was responsible for work of minor importance for a different discipline, but the plans on a different page was double stamped by the registrant in that different discipline then the work of minor importance would need to be noted by the registrant stamping the minor importance work that was out of discipline. It was concluded that if it is a dual stamped plan then it must be noted what work that stamp is covering. Johnston would like this conclusion to be added to the Frequently Asked Questions and the Guidance Manual.
- e. Interpretation of 12AAC 36.180(b) which states, *“The seal authorized for use by professional engineers is of the following design or a substantially similar electronic or digital representation of the design: ... The seal must reflect the branch of engineering authorized by the board. This identification is to be placed below the registrant’s name and preceding the registrant’s number on the seal as noted:”* (goes on to list all of the two letter abbreviations for engineering disciplines.) Garness pointed out that his license as the four-letter prefix that the division used to use. According to this regulation, he would have to include the two-letter abbreviation that is given in the regulation and followed by the four-letter prefix and then the numeric portion of the license number. Johnston proposed changing the language to say that only the numeric portion of a registrant’s license number needs to follow the two-letter discipline distinction.

On a motion duly made by Jeff Garness, seconded by Bob Bell and passed unanimously, it was RESOLVED to approve amending 12 AAC 36.180 to modify the method of seal design as part of the 2019 regulation project that was approved in May of 2021.

22. Upcoming Meeting Dates

a. November board meeting dates: Johnston is not able to meet on the originally scheduled days of November 9-10th. The board meeting will be moved to November 15th and 16th.

b. CLARB Annual Meeting

On a motion duly made by Jake Maxwell, seconded by Fred Wallis and passed unanimously, it was RESOLVED to appoint Ed Leonetti as the voting delegate at the September 2021 CLARB annual business meeting.

c. NCARB Regional Meeting and the June 2022 Annual Business

On a motion duly made by Jake Maxwell, seconded by Fred Wallis and passed unanimously, it was RESOLVED to send Catherine Fritz, Randall Rozier as the Executive Administrator or the Licensing Examiner to the NCARB 2022 Regional Meeting and the NCARB 2022 Annual Business Meeting.

d. 2022 NCEES Western Zones Interim Meeting

On a motion duly made by Jake Maxwell, seconded by Fred Wallis and passed unanimously, it was RESOLVED to send Jennifer Anderson, Elizabeth Johnston, and any other fully funded delegate as appointed by the chair to the 2022 Western Zones Interim NCEES Meeting.

e. NCARB Examination Committee Meetings

On a motion duly made by Jake Maxwell, seconded by Fred Wallis and passed unanimously, it was RESOLVED to send Catherine Fritz to the NCARB Examination Committee meetings.

f. NCEES Exam Policies and Procedures Committee Meetings

On a motion duly made by Jake Maxwell, seconded by Jeff Garness and passed unanimously, it was RESOLVED to send Elizabeth Johnston to the NCEES Exam Policies and Procedures Committee meetings.

g. Fire Marshall Meeting – Feb 22-25, Anchorage, AK

Board will appoint attendee during the November meeting

Wallis appreciated being able to meet in person and felt like the board accomplished good things during the meeting. Wallis left meeting

23. Read Applications Into the Record .

On a motion duly made by Jake Maxwell, seconded by Ed Leonetti and passed unanimously, it was **RESOLVED** to approve the following list of applicants for registration by comity and by examination with the stipulation that the information in the applicants' files will take precedence over the information in the minutes.

FIRST NAME	LAST NAME	TYPE OF LICENSE	AUGUST DECISION
ANDREW	KNUTSON	CIVIL	APPROVED
ANDREW	RICKER	CIVIL	APPROVED
ANDREW	BRASHER	MECHANICAL	APPROVED
ANDREW	COUGHLIN	STRUCTURAL	APPROVED
BENJAMIN	FETTERHOFF	CIVIL	APPROVED
CAMERON	LESLIE	ELECTRICAL	APPROVED
CARLOS	GUTIERREZ	CIVIL	APPROVED
DANIEL	SEYMOUR	CIVIL	APPROVED
DAVID	WALL	CIVIL	APPROVED
GEORGE	ONORATO	CIVIL	APPROVED
HYEON	KIM	FIRE PROTECTION	APPROVED
JAMES	LASTOVICA	ARCHITECT	APPROVED
JAMES	ELLER	CIVIL	APPROVED
JAMES	RUEDLINGER	CIVIL	APPROVED
JEFFREY	COFFIN	CIVIL	APPROVED
JOE	SANDLIN	ARCHITECT	APPROVED
KATE	MCDEVITT	CIVIL	APPROVED
KERWYN	KING	ELECTRICAL	APPROVED
KEVIN	HALEY	MECHANICAL	APPROVED
LIANE	GEORGE	CIVIL	APPROVED
LOGAN	HUBER	CIVIL	APPROVED
MATTHEW	RUFFING	CIVIL	APPROVED
MATTHEW	TINSLEY	STRUCTURAL	APPROVED
MICHAEL	MCGUIRE	ELECTRICAL	APPROVED
MICHAELA	PETERSON	CIVIL	APPROVED
NATHAN	KAISER	CIVIL	APPROVED
NATHANIEL	BOLDS	STRUCTURAL	APPROVED
NOAH	HORNSBY	CIVIL	APPROVED
PATRICK	LOWRY	CIVIL	APPROVED
ROBERT	MCMICHAEL	CIVIL	APPROVED
RYAN	JEFFRIES	CIVIL	APPROVED
SEAN	MCDONALD	CIVIL	APPROVED

On a motion duly made by Ed Leonetti, seconded by Jake Maxwell and passed unanimously, it was RESOLVED to conditionally approve the following list of applicants for registration by comity and by examination with the stipulation that the information in the applicants' files will take precedence over the information in the minutes.

FIRST NAME	LAST NAME	TYPE OF LICENSE	AUGUST DECISION
AARON	FLETCHER	CIVIL	CONDITIONAL
BRADLEY	CRUICKSHANKS	CIVIL	CONDITIONAL
BRETT	KIRK	CIVIL	CONDITIONAL
BRUCE	ROCKWELL	ELECTRICAL	CONDITIONAL
DAVID	DINSMORE	CIVIL	CONDITIONAL
DAVID	FLYNN	CIVIL	CONDITIONAL
ELI	WARD	CIVIL	CONDITIONAL
ETHAN	TRICKEY	MINING	CONDITIONAL
EUAN-ANGUS	MACLEOD	CIVIL	CONDITIONAL
GRANT	WARNKE	CIVIL	CONDITIONAL
GREGORY	MICHAELSON	CIVIL	CONDITIONAL
JEFREY	JAKALSKI	ARCHITECT	CONDITIONAL
JENNIFER	DOUGHERTY	MECHANICAL	CONDITIONAL
JESSE	WARBOYS	FIRE PROTECTION	CONDITIONAL
JOHN	STREET	CIVIL	CONDITIONAL
KARL	DECOCK	ARCHITECT	CONDITIONAL
KRISTEN	NORTON	ELECTRICAL	CONDITIONAL
KURT	KARNATZ	MECHANICAL	CONDITIONAL
MARC	JACQUES	ELECTRICAL	CONDITIONAL
MARK	LEINGANG	CIVIL	CONDITIONAL
MELISSA	STUMP	CIVIL	CONDITIONAL
MICHAEL	EHLRICH	ARCHITECT	CONDITIONAL
NATHANAEL	KOHL	CIVIL	CONDITIONAL
NICHOLAS	MORIARTY	FIRE PROTECTION	CONDITIONAL
PETER	THOMSON	CHEMICAL	CONDITIONAL
RANGELL	SORIANO	CIVIL	CONDITIONAL
REZA	KASHANI	STRUCTURAL	CONDITIONAL
RICHARD	LEVINE	MECHANICAL	CONDITIONAL
ROBERT	BRAVO	CIVIL	CONDITIONAL
SABRINA	HANSEN	FIRE PROTECTION	CONDITIONAL
SAMANTHA	BUCHANON	CIVIL	CONDITIONAL
SAMUEL	KLUMP	CIVIL	CONDITIONAL
SCOTT	BEATTY	ELECTRICAL	CONDITIONAL
STEVEN	LEMMEL	CIVIL	CONDITIONAL

FIRST NAME	LAST NAME	TYPE OF LICENSE	AUGUST DECISION
TIJA	BAKER	MECHANICAL	CONDITIONAL
TIMOTHY	DEMARRE	ELECTRICAL	CONDITIONAL
ZACHARY	ASHBURN	ELECTRICAL	CONDITIONAL

24. Board Member Comments

Board members were thankful for the opportunity for some to meet in person. Fritz thanked everyone for a good meeting and looks forward to seeing everyone in person during the next meeting. Leonetti appreciated working through the topics together. Maxwell thanked everyone for their participation and help. He looks forward to reporting on the NCEES Annual Conference. Rozier appreciated the lively conversation. Garness enjoyed the diversity of thought. Leman thought there were good topics and discussion. He was glad that the board accommodated his schedule so that he could call in while with his family. Johnston appreciated the board working through a full agenda and enabling her to cross many items off of the action item list. She likes the ability to agree to disagree, and values the challenge of disagreeing perspectives as it helps her hone her logic on an issue. Fritz expressed her gratefulness to Neal for holding AELS together as the search for the EA continues.

Adjourn Meeting – 4:30pm

Respectfully submitted:

Sara J. Neal

Sara Neal, Executive Administrator

Approved:

Elizabeth Johnston

Elizabeth T. Johnston, PE Chair
Alaska Board of Registration for Architects,
Engineers, and Land Surveyors

Date: 11/22/2021